

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF RATES OF COLUMBIA GAS
OF KENTUCKY, INC.

) CASE NO.
) 10498

O R D E R

On January 9, 1990, the Attorney General, by and through his Utility and Rate Intervention Division, and the Lexington-Fayette Urban County Government ("Intervenors") moved to strike the prefiled testimony of J. W. Partridge, Jr., a rebuttal rehearing witness for Columbia Gas of Kentucky, Inc. ("Columbia"). As grounds for the motion, the Intervenors assert that this testimony addresses rate of return which is not an issue before the Commission on rehearing.

By Memorandum Contra filed on January 26, 1990, Columbia responded that the Intervenors have mischaracterized Mr. Partridge's testimony. Columbia stated the testimony is offered to show that it will not have an opportunity to earn its authorized rate of return and further the "... testimony demonstrates the adverse financial impact that the October 6 Order will have upon Columbia because the level of revenue made possible by the Order does not provide Columbia with a reasonable

opportunity to earn the rate of return authorized by the Commission."¹

After reviewing the testimony of the witness, the motion and the Memorandum Contra and being otherwise sufficiently advised, the Commission finds that the motion should be granted. Mr. Partridge's testimony relating to Columbia's opportunity to earn its authorized rate of return is clearly outside the scope of rehearing issues that have been raised in this proceeding and therefore should be stricken.

IT IS THEREFORE ORDERED that the testimony of J. W. Partridge, Jr. shall be stricken in its entirety.

Done at Frankfort, Kentucky, this 29th day of January, 1990.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

¹ Columbia's Memorandum Contra, January 26, 1990 at 2.